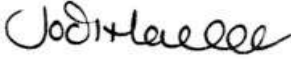
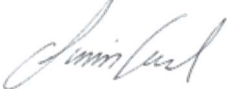




*Our vision is to create an inclusive, friendly, safe and engaging learning environment which is grounded in our Christian values, enabling children to navigate obstacles, fulfil their potential and extend their horizons.*

*We value all members of our school community and encourage their individual talents and personalities so that each can shine in their own way.*

Policy Name	Disability Equality Scheme
Date written:	Jan 2018
Date of last update:	Mar 2022
Date agreed and ratified by Governing Body:	Mar 2022
Date of next full review:	Mar 2025
Signed by head Teacher: (Jodi Hacker)	
Signed by Chair of Governors: (Simon Curd)	

The Disability Equality Duty of the Disability Discrimination Act (DDA) 2005 places on all public authorities (including schools) a general duty, when carrying out their functions, to: promote equality of opportunity between disabled people and other people; eliminate discrimination that is unlawful under the DDA 1995; eliminate harassment of disabled people that is related to their disability; promote positive attitudes towards disabled people; encourage participation by disabled people in public life; take steps to meet disabled people's needs, even if this requires more favourable treatment.

### **RATIONALE**

The Disability Equality Duty of the Disability Discrimination Act (DDA) 2005 places on all public authorities (including schools) a general duty, when carrying out their functions, to:

- promote equality of opportunity between disabled people and other people;
- eliminate discrimination that is unlawful under the DDA 1995;
- eliminate harassment of disabled people that is related to their disability;
- promote positive attitudes towards disabled people;
- encourage participation by disabled people in public life;
- take steps to meet disabled people's needs, even if this requires more favourable treatment.

In addition to the general duty, regulations made under Part 5A of the DDA 2005 set out a specific duty on certain public authorities, including all publicly funded schools, requiring them to demonstrate how they are meeting the general duty. Hawkhurst Church of England Primary School has embraced the requirements of the Disability Discrimination Act.

## DEFINITION OF DISABILITY

The DDA defines a disabled person as someone who has '**a physical or mental impairment which has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities**'. The definition includes a wide range of impairments, including hidden impairments such as dyslexia, autism, speech and language impairments, and long-term conditions such as cancer and HIV. These are all likely to amount to a disability, but only if the effect on the person's ability to carry out normal day-to-day activities is substantial and long term, as defined above.

The effect on normal day to day activities in school is related to the following aspects of school life:

- mobility
- manual dexterity
- physical co-ordination
- continence
- ability to lift or move everyday objects
- speech, hearing or eyesight
- memory or ability to concentrate, learn or understand
- perception of risk or physical danger

Some people are automatically covered by the definition; those with cancer, multiple sclerosis, HIV infection or severe disfigurement. There are special provisions for people with progressive or recurring conditions.

## DUTIES OF THE DDA

Duties under Part 5 of the DDA require the governing body to:

- promote equality of opportunity for disabled people; pupils, staff, parents, carers and other people who use the school or may wish to do so
- prepare and publish a disability equality scheme to show how they will meet these duties

This scheme and the accompanying action plans set out how the governing body will promote equality of opportunity for disabled people.

Duties under Part 4 of the DDA require the governing body to plan to increase education for disabled pupils in three ways;

- increasing the extent to which disabled pupils can participate in the school curriculum
- improve the environment of the school to increase the extent to which disabled pupils can take advantage of education and associated services
- improve the delivery of information to disabled pupils of information which is provided in writing for pupils who are not disabled

Parts 2, 3 and 4 of the DDA apply to different aspects of the school's operation, namely employment, the provision of services and to education. The Disability Equality Duty brings together the responsibilities of the school under Parts 2, 3 and 4 and the scheme for Hawkhurst Church of England Primary School shows how the school is meeting its general duty to promote disability equality across all of its areas of responsibility.

## **THE PURPOSE AND DIRECTION OF THE SCHEME AT HAWKHURST CEP SCHOOL**

The purpose is to show how the school is going to meet its duty to promote disability equality for disabled pupils, staff and parents. In order to do this the school will establish with all staff an overall vision of the duty to promote equality of opportunity for all. The elements of the duties are:

- to promote equality of opportunity between disabled and non-disabled people, women and men and between different racial groups
- to eliminate discrimination and harassment on the grounds of disability, sex, race or ethnicity, sexual orientation and religion or beliefs
- to promote positive attitudes towards disabled people
- to encourage participation of disabled pupils, parents, staff and carers
- to take steps to meet disabled people's needs, even if this requires more favourable treatment

Action by School Leadership Team (SLT) responsible for the Equality Scheme including the Disability Equality Scheme The following actions will be initiated:

- awareness of elements of the duties will be raised with all staff, governors, parents and pupils
- reference will be made to 'Implementing the DDA in Schools and Early Years Settings' published by the Disability Rights Commission
- ensure understanding of the broad definition of disability within the DDA
- encourage disclosures of disability by parents, pupils and staff and other users of the school
- make reference to '*The Gender Equality Duty and Schools*' published by the Equal Opportunities Commission
- work with trade unions to implement the gender duty in employment functions
- create separate action plans for each equality duty highlighting links as appropriate
- set up a working party with the key functions of ensuring that disabled, pupils and staff are involved with the disability equality duty, to ensure that trade unions are involved regarding the gender equality duty, to arrange the gathering of information, and to consider arrangements for race, disability and gender impact assessments

The governing body will use the Disability Discrimination Act 2005 definition of disability to respond to the different needs of disabled people.

## **INVOLVEMENT OF PUPILS, STAFF, PARENTS AND OTHER USERS OF THE SCHOOL**

The school will consider and plan to involve pupils, staff, parents and other users of the school in relation to the race, disability and gender equality duty.

The school will continue to take into account the preferred means of communication for those with whom they are consulting.

The school will ensure the involvement of a range of people and hear a range of views to meet the disability, gender and race equality duties.

The views of the pupils, staff, parents, trade unions and other users of the school will be used to set priorities.

What activities are covered by the Disability Equality Scheme

Every aspect of school life is covered by the duties. Responsible bodies must not discriminate:

- In relation to *admissions*
- In relation to *education and associated services*; or
- By *excluding a pupil*

## **ADMISSIONS**

The School must not discriminate against a disabled person:

- in the arrangements that they make on determining the admission of a pupil to school. This includes any criteria for deciding who will be admitted to the school when it is oversubscribed;
- in the terms on which the responsible body offers pupil admissions to the school;
- by refusing or deliberately omitting an application for admission to the school from someone who is disabled.

The admissions process at Hawkhurst Church of England Primary School is handled by the LA, therefore the duty to not discriminate lies largely with the local authority.

## **EDUCATION AND ASSOCIATED SERVICES**

The Governors and staff should be aware of the need to make possible reasonable adjustments for disabled pupils, staff and parents.

- Entry to school
- The curriculum
- Teaching & Learning
- Class organisation
- Timetabling
- Grouping of pupils
- Homework
- Access to facilities
- School sports
- School policies
- Breaks and lunch provision
- Serving of school meals
- Assessment and exam procedures
- Procedures on discipline and exclusion
- Clubs and activities
- School trips
- Transition
- Working with other agencies

## **EXCLUSIONS**

It is unlawful to discriminate against a pupil by excluding him or her for a reason related to the pupil's impairment. This is considered as less than favourable treatment.

## **INFORMATION GATHERING**

The collection of information is crucial to supporting us in making decisions about what actions would best improve opportunities and outcomes for pupils, staff and parents. The information will also subsequently help us to review our performance. Information will be detailed enough to enable us to measure the delivery on equality duties relating to disability, race and gender, to assess the impact of the changes made and to help the school us identify which of our priorities have been achieved.

## INFORMATION TO BE GATHERED

- Recruitment, development and retention of disabled employees, women and men from different racial backgrounds.
- Education opportunities available to and achievement of disabled, female and male pupil and pupils from different racial backgrounds.
- Identify disabled pupils, parents, carers, staff and other users of the school to develop the Scheme (All efforts to be made to collect information)
- The working party will recommend about how the information is to be held in school, and how it interlinks with other registers. E.g. Does the school have just one school profile with differing levels of access? Confidentiality and need to know clauses are required.
- Pupil attainment of boys and girls taking into account that certain groups of boys may do as well as girls.
- Careers and sports choices of both genders
- Bullying and harassment on the grounds of gender, disability and race.

## ENCOURAGING DISCLOSURE

The primary reason for knowing who is disabled is to ensure that appropriate adjustments are made. Disabled people are not required to disclose a disability, though it is in their interests to do so if they need reasonable adjustments to be made for them. Disclosure needs to be approached in this light and not just as a consideration to be taken into account in information gathering. Disabled pupils, staff and parents may not feel comfortable disclosing an impairment or health condition unless they know why the information is being requested, and what impact the information gathering is likely to have for them. Some staff do not want others to know about their health condition.

There will also be some people who do not know that their impairment or health condition would meet the definition of disability in the DDA, for example, someone diagnosed with breast cancer may not realise that their impairment is covered by the DDA. To overcome these barriers, schools will need to:

- provide simple information on the definition of disability in the DDA;
- be positive about the sort of adjustments that can be made and the benefits of these;
- explain why information is needed;
- reassure pupils, staff and parents about confidentiality
- ensure that the ethos of the school is conducive to disclosure: people will feel more comfortable about acknowledging an impairment or health condition if the circumstances in which they are asked about it encourage them to believe that the information they disclose will be handled sensitively and confidentially and used to improve opportunities and outcomes for them.

## RECRUITMENT, DEVELOPMENT AND RETENTION OF DISABLED EMPLOYEES

Schools are specifically required to set out their arrangements for gathering information on the recruitment, development and retention of disabled employees. It is important to remember that the duty applies to all those working at the school in whatever capacity and includes those who are working under a contract.

**New staff:** It is important to remember that nothing requires an applicant to disclose a disability and the school needs to take account of the points made, above, about disclosure. Where the local authority has a role in the recruitment process it is important to liaise with the authority over the collection of information.

**Existing staff:** Where existing staff are not asked for information on disability, the collection of this information will need to be discussed. As with new staff, the approach that the school takes will need to reflect the points made about encouraging disclosure. It may be that, following discussion, a questionnaire is circulated in confidence to employees, at their home address. Initially such information is likely to be incomplete and imperfect. Disabled staff may fear negative outcomes following disclosure and may fear that the data will not be held anonymously. This does not mean it should not be collected. The very collection of it is likely to lead to better information the next time it is collected. As information on staff improves, it will be important to analyse the information in respect of the representation of disabled staff:

- in all aspects of the work of the school, for example, teaching, teaching support, administrative support;
- at all levels of seniority in the school;
- amongst those awarded Teaching and Learning Responsibility Payments;
- as permanent or temporary members of staff, full- or part-time or casual staff;
- in training and professional development opportunities;
- in disciplinary and capability proceedings;
- in harassment and bullying procedures;
- as contract staff, for example, contract cleaners and agency supply teachers;
- among those who take sick leave;
- among trainee teachers on placement at the school; and
- among those leaving the profession early.

## RETAINING STAFF

Schools should seek to retain disabled staff who wish to continue working for them.



Gathering information on the representation of disabled people within the workforce should involve an analysis of whether the appropriate adjustments are being made and the support provided to enable disabled staff to return to work or continue in service where that is what the disabled member of staff wants to do.

“Becoming a disability friendly place to work and having a diverse workforce is likely to be associated with improved retention, more reliable information and can bring wider benefits to the school:

- a wider field for recruitment;
- retaining the experience and skills of employees who become disabled during their working life and avoiding the costs of recruiting and training new people;
- developing in-house expertise about what disabled staff and/or pupils may require;
- providing role models for children and young people;
- bringing different life experiences and new skills to the school; and
- helping foster good relations with all employees by showing that everyone is valued and treated fairly.”

Adapted from Disability Rights Commission (2006)<sup>1</sup>

## **EDUCATIONAL OPPORTUNITIES AVAILABLE TO AND THE ACHIEVEMENTS OF DISABLED PUPILS**

Information on disability is gathered through the admissions process. However, a number of factors can affect the response from parents:

- How parents think the information will be used; and
- Parents’ understanding of what may amount to a disability. Because it is a wide definition of disability, it is advisable to ask a broadly cast question, for example, ‘Does your child have any learning difficulty, medical condition or disability?’

Where the local authority has responsibility for admissions it is important to liaise with the authority over the collection of information.

### **PRESENCE:**

An analysis of the information might show:

- how many disabled pupils there are in the school;
- which impairment groups are represented in the school; and
- whether there are groups of disabled pupils who are not represented at the school.

### **PARTICIPATION:**

The school might consider whether:

- there are areas of the curriculum to which disabled pupils have limited or no access. Some areas of the curriculum present particular challenges, for example, PE for pupils

- with a physical impairment, science and technology for pupils with a visual impairment, humanities for pupils with learning difficulties;
- disability issues are reflected in the curriculum;
  - disabled pupils participate in extra-curricular activities. Some aspects of extracurricular activities present particular challenges, for example, lunch and break times for pupils with social/interaction impairments, after-school clubs for pupils with physical impairments, school trips for pupils with medical needs;
  - there are parts of the school to which disabled pupils have limited or no access at the moment, or whether physical features of the school environment hamper access to the whole life of the school;
  - different forms of communication are made available to enable all disabled pupils to express their views and to hear the views of others;
  - access to information is planned, with a range of different formats available for disabled pupils; and
  - other issues affect the participation of disabled pupils, for example, bullying, peer relationships, policies on the administration of medicines, the provision of personal care, the presence or lack of role models or images of disabled people, in effect, all the school's policies and procedures, written and unwritten.

Careful consideration of these issues may indicate some clear priorities for the school's scheme.

Other issues may need to be addressed more immediately by making 'reasonable adjustments' to school policies, practices and procedures, for example to the school's behaviour policy.

### **THE ACHIEVEMENTS OF DISABLED PUPILS:**

If disabled pupils are in the school and participating in every aspect of the life of the school: how well are they achieving? Schools need to undertake a detailed analysis of outcome data for disabled pupils, including:

- exams;
- accredited learning;
- end of key stage outcomes;
- comparative progress measured by the optional SATs;
- achievements in extra-curricular activities; and
- broader outcomes such as those set out in *Every Child Matters*.

### **IMPACT ASSESSMENTS**

Impact assessments refers to the review of all current and proposed policies and practices in order to help schools act to ensure no gender, racial group or disabled person is disadvantaged by school activities and to promote race, disability and gender equality.

Impact assessments will be an on-going process to ensure that our policies and practices develop, evolve and are incorporated into the school's planned review and revision of every policy. Every new policy or procedure will be drawn up with regard to our duties to promote race, disability and gender equality and to eliminate discrimination and harassment within the school community.

Policies requiring impact assessments will include:

- Anti-bullying
- Behaviour
- Curriculum
- Equal opportunities
- Health and Safety

## **MONITORING**

The school will need to monitor for impairment, disabled people as staff, parents and users of services/facilities. Areas for monitoring will include

- Admissions, Transitions, Exclusions
- Achievement of pupils
- Disability in curriculum – to develop positive attitudes
- Removal of barriers – physical, communication and curriculum
- Lettings and use of school facilities by the community
- Elimination of harassment and bullying
- Employment, promotion, retention and training of disabled staff
- Data collection of disabled pupils, staff, parents and carers.
- Reasonable adjustments – school trips, after school clubs, lunchtimes, teaching, homework

## **IDENTIFYING THE MAIN PRIORITIES FOR THE SCHOOL'S SCHEME AND DECIDING THE ACTIONS**

The priorities for the scheme will be set in the light of:

- an examination of the information that the school has gathered; an
- the messages that the school has heard from the disabled pupils, staff, parents and trade unions that have been involved in the development of the scheme.

Some of the priorities identified may include:

- Improving access to information;
- Improving the involvement of disabled pupils, staff and parents
- Challenging gender stereotypes in subject choices and career advice
- Health, sport and obesity differences between girls linked to girls reduced likelihood of taking part in physical education and sport compared to boys.
- Tackling sexual and sexist bullying of boys and girls
- Employment and considering objectives to address the causes of any gender pay gap

## **IMPLEMENTATION**

The Scheme will be supported by individual action plans relating to disability, gender and race equality and be incorporated into the School Improvement Plan, with oversight by the governing body so that progress can be checked.

The Action plans will show:

- clear allocation of lead responsibility;
- clear allocation of resources;
- an indication of expected outcomes or performance criteria;
- clear timescales;
- a specified date and process for review.

## **PUBLICATION**

The Equality Scheme will be published as a separate document. The school will provide a copy for anyone asking for it in a range of formats.

## **REPORTING**

The school will report annually on the progress made on the action plans and its effect on policy and practice within the school.

## **REVIEWING AND REVISING THE SCHEME**

As part of the review of the Scheme, the school will:

- revisit the information that was used to identify the priorities for the scheme; and
- re-examine the information to see if actions that the school has taken have affected opportunities and outcomes for disabled pupils, staff and parents, diverse racial groups and both genders.

The review of the Scheme will inform its revision; how the school sets new priorities and new action plans for the next scheme. This process will continue to:

- involve pupils, staff and parents;
- be based on information that the school has gathered.